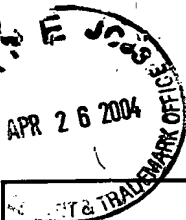


APR 26 2004



04-27-04

Ifw
CPA/1600
#

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

Check Box, if applicable:

☒ DUPLICATE

Address to: Mail Stop CPA
Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.

J&J 2049

First Named Inventor

Kulkarni et al.

Express Mail Label No. EV 138490425 US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/954,911, filed on September 18, 2001, entitled Physically Stable Sprayable Gel Composition.

NOTES

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

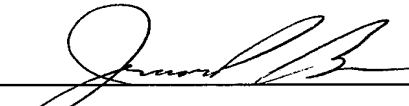
ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 (Amendment After Final Rejection) in the prior nonprovisional application.
2. ☒ A Preliminary Amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new Power of Attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

04/26/2004 SDIRETR1 00000021 100750 09954911

01 FC:1006 770.00 DA

| CLAIMS | (1) For | (2) Number Filed | (3) Number Extra | (4) Rate | (5) Calculations |
|---|---|---------------------|-------------------------------|-------------------------------|---------------------|
| | Total Claims (37 CFR 1.16(c)) | 15 - 20 = | 0 | x\$ 18.00 | \$ 0.00 |
| | Independent Claims (37 CFR 1.16(b)) | 1 - 3 = | 0 | x\$ 84.00 | \$ 0.00 |
| | Multiple Dependent Claims (if applicable) (37 CFR 1.16(d)) | | | | |
| | | | | x\$ 280.00 | |
| | | | | Basic Fee (37 CFR 1.16(a)) | \$ 750.00 |
| | | | Total of above Calculations = | | \$ 750.00 |
| | Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28) | | | | |
| | TOTAL = | | | | \$ 750.00 |
| 6. <input checked="" type="checkbox"/> The commissioner is hereby authorized to credit overpayments or charge fees required by this paper to Deposit Account No. 10-0750. | | | | | |
| 7. <input type="checkbox"/> A check in the amount of \$ is enclosed. | | | | | |
| 8. <input type="checkbox"/> Other: | | | | | |
| NOTE: <i>The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.</i> | | | | | |
| 9. CORRESPONDENCE ADDRESS | | | | | |
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label 000027777 or <input type="checkbox"/> Correspondence Address below | | | | | |
| Name: | Philip S. Johnson, Esq. | | | | |
| Address: | Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 USA | | | | |
| 10. TELEPHONE CONTACT | | | | | |
| Please direct all telephone calls or telefaxes to James P. Barr at: | | | | | |
| Telephone: (732) 524-2826 Fax: (732) 524-2808 | | | | | |
| 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | | |
| NAME | James P. Barr | | Registration Number: 32,882 | | |
| SIGNATURE |  | | | | |
| DATE | 7/24/04 | | | | |